

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND

SETH D. HARRIS, Acting Secretary of Labor,
United States Department of Labor,

3:13-cv-00728-HU

Plaintiff,

v.

**ORDER ISSUING
PRELIMINARY INJUNCTION**

OAK GROVE CINEMAS, INC., an Oregon
domestic business corporation;
BARRINGTON MANAGEMENT, LLC, an
Oregon domestic limited liability company;
BARRINGTON VENTURE, LLC, an Oregon
domestic limited liability company; and
DAVID EMAMI, an individual and in his
official capacity,

Defendants.

This matter came on for hearing on May 15, 2013 on Plaintiff's Motion for a Preliminary Injunction. The Court heard testimony from the Wage and Hour Investigator, and considered the oral and written submissions of the parties. Based on the record presented the Court finds that Plaintiff has met the requirements for issuance of a preliminary injunction as set forth in *Winter v. Natural Res. Def. Council, Inc.*, 555 U.S. 7 (2008).

Specifically, the Court finds that Plaintiff has established that he is likely to succeed on the merits that he is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, and that an injunction is in the public interest.

THEREFORE, IT IS HEREBY ORDERED that:

(1) Defendants are enjoined from discharging or in any other manner discriminating against any

employee because that employee filed a complaint or instituted or caused to be instituted a proceeding under or related to the Fair Labor Standards Act, or has testified or is about to testify in any such proceeding.

- (2) Defendants shall post at Oak Grove Cinemas, at a location that is visible and prominent to all employees working at that site, the following statement:

Federal law prohibits any person from discharging or in any other manner discriminating against any employee because the employee has filed a complaint concerning the employee's rights under the Fair Labor Standards Act. This law means that an employer is not permitted to fire or terminate the employment of a worker, threaten to take such action, reduce the employee's hours of work, penalize the worker, or otherwise retaliate against the worker because the worker complained to the Department of Labor.

Defendants shall make duplicate postings in English and Spanish at the location.

- (3) Defendants shall provide a hard copy of the statement included in ¶ 2 above, in both English and Spanish, with the next written paystub provided, to each employee.

DATED this 20 day of May 2013.


MARCO A. HERNANDEZ
United States District Judge